

REMARKS

Upon entry of this amendment, claims 1, 3, 4, 6-11, 13 and 14 are pending, claims 2, 5, and 12 are canceled and claims 1, 3, 4, 9, 10, and 13 are currently amended.

35 U.S.C. § 112 Rejections

Reconsideration is respectfully requested of the rejection of claims 3, 4, 7, 10, 11, 13, and 14 for failing to satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph. The Office states that the "claims recite the compound 'Di-[2-(4-Hydroxy-5-oxo-2-carboxylic acid methyl ester)]-disulfide'. However, the identity of the claimed compound is unclear."¹ Without conceding to the propriety of the rejection and to advance prosecution, claims 3, 4, and 7 have been amended to delete the Di-[2-(4-Hydroxy-5-oxo-2-carboxylic acid methyl ester)]-disulfide compound. Thus, this rejection is moot.

Reconsideration is requested of the rejections of claims 1, 6, 8, and 9 for failing to satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph. The Office states that the dermatologic conditions are not listed in a conventional manner.² Without conceding to the propriety of the rejection and to advance prosecution, claim 1 is amended to recite a "dermatologic condition selected from the group consisting of contact dermatitis, acne, rosacea, and psoriasis." Claims 6, 8 and 9 depend from claim 1, and therefore, this rejection of claims 1, 6, 8, and 9 is moot.

Reconsideration is requested of the rejections of claims 3, 7, 10, and 11 for failing to satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph. The Office states that the dermatologic conditions are not stated using a proper Markush group.³ Without conceding to the propriety of the rejection and to advance prosecution, claim 3 is amended to recite a "dermatologic condition selected from the group consisting of contact dermatitis, acne, rosacea, and psoriasis." Claims 7, 10 and 11 depend from claim 3, and therefore, this rejection of claims 3, 7, 10, and 11 is moot.

Reconsideration is requested of the rejections of claims 9, 10, and 13 for failing to satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph. The Office

¹ Office action dated December 8, 2010 at page 2.

² Id. at page 3.

³ Id. at page 4.

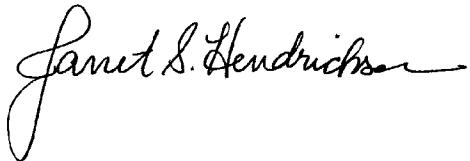
states that the benefit agents are not listed in the conventional manner.⁴ Without conceding to the propriety of the rejection and to advance prosecution, claims 9, 10, and 13 are amended to recite a "additional benefit agent, selected from the group consisting of" Thus, this rejection of claims 9, 10, and 13 is moot.

⁴ Id. at page 5.

CONCLUSION

Applicants do not believe that a fee is required for the filing of this response, as it is being submitted within the shortened statutory period for reply. Should applicants be incorrect, the Commissioner is hereby authorized to charge the necessary fee to Deposit Account No. 19-1345.

Respectfully submitted,



Janet S. Hendrickson, Ph.D., Reg. No. 55,258
SENNIGER POWERS LLP
100 North Broadway, 17th Floor
St. Louis, Missouri 63102
(314) 231-5400

JSH/slw